

APPENDIX O

Compendium of State NIL Laws in Conflict with the Proposed Settlement

Arkansas Code Section 4-75-1303.....	2
California Education Code Section 67456.....	2
Colorado Code Section 23-16-301.....	2
Florida Code Section 1006.74.....	2
Georgia Code Section § 20-3-681.....	3
Illinois Code Chapter 110 Sections 190/10 and 190/15.....	3
Kentucky Code Sections 164.6943 and 164.6945	3
Louisiana Code Section 17:3703	3
Maine Code Title 20-A, § 12972	3
Maryland Code of Education Section 15-131.....	4
Michigan Code Sections 390.1731, 390.1732, 390.1738	4
Mississippi Code Section 37-97-105	4
Missouri Code Section 173.280.....	4
Montana Code Section 20-1-232	4
New Jersey Code Section 18A:3B-867.....	5
New York Education Law Section § 6438-c	5
Oklahoma Code Title 70 Sections 820.23, 820.25, 820.27.	5
Oregon Code Section 702.200	5
Pennsylvania Code Title 24 Sections 20–2003–M and 20-2008-M	5
South Carolina Code Sections 59-158-20 and 59-158-40	6
Tennessee Code Section 49-7-2802.....	6
Texas Education Code Section 51.9246	6
Virginia Code Section 23.1-408.1	7

Arkansas Code Section 4-75-1303

Protecting the rights of student-athletes to “contract and receive compensation for the commercial use of the student-athlete's publicity rights”, including directly with an institution of higher education or its supporting foundations and authorized entities. which “may identify, create, facilitate, and otherwise enable opportunities for a student-athlete to earn compensation for the commercial use of the student-athlete's publicity rights.” The law further prohibits athletic associations and conferences from preventing student-athletes from earning such compensation or penalizing them for doing so, as well as interfering with the rights of institutions of higher education to participate in intercollegiate athletics on account of their students’ receipt of compensation for their publicity rights.

California Education Code Section 67456

Prohibiting colleges and university from upholding “any rule, requirement, standard, or other limitation” that prevents student-athletes from earning compensation as a result of the use of the student’s name, image, or likeness, including through the limitation of scholarship eligibility. The law further prohibits athletic associations from interfering with a postsecondary educational institutions’ ability to earn compensation as a result of the use of the student’s name, image, or likeness, including by preventing the institution’s participation in intercollegiate athletics. Forbidding educational institutions, athletic associations and conferences themselves from providing NIL compensation to *prospective* students.

Colorado Code Section 23-16-301

Preventing an educational institution engaged in intercollegiate athletics from upholding “any rule, requirement, standard, or other limitation that prevents a student athlete of the institution from earning compensation from the use of the student athlete's name, image, or likeness”, including through the limitation of scholarship eligibility;

Further prohibiting athletic associations from preventing student athletes from earning compensation for the use of the student athlete's name, image, or likeness;

Prohibiting such associations and conferences from preventing institutions from participating in intercollegiate athletics because a student-athlete receives NIL compensation.

But prohibiting educational institutions and associations from providing compensation directly to current or prospective student athletes, though an institution may identify, create, solicit, facilitate, and otherwise enable opportunities for a student athlete

Florida Code Section 1006.74

Finding that intercollegiate athletes must have an equal opportunity to control and profit from their name, image, and likenesses.

Georgia Code Section § 20-3-681

Protecting the right of students to earn fair market compensation for their name, image, or likeness and prohibiting revocation of student scholarships as a result of earning compensation for name, image, or likeness.

Illinois Code Chapter 110 Sections 190/10 and 190/15

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Affirming the right of student-athletes to earn fair market name, image, and likeness compensation that is not in exchange for participation in athletic activities and prohibiting postsecondary educational institutions, athletic associations, and conferences from interfering with the right of student-athletes to earn such compensation, including through changes to students' eligibility to receive scholarships or to play in intercollegiate sports;

Prohibiting athletic associations and conferences from enforcing any contract, rule, regulation, standard, or other requirement that prevents a postsecondary educational institution from participating in an intercollegiate athletics program as a result of the compensation to a student-athlete for their name, image, likeness, or voice.

Kentucky Code Sections 164.6943 and 164.6945

Prohibiting education institutions and athletic institutions from preventing student-athletes from lawfully earning fair market compensation through a name, image, and likeness agreement, including with a third party;

Further prohibiting associations from penalizing educational institutions for enabling its student athletes to earn name, image, likeness compensation or from earning compensation themselves through such a NIL agreement.

Louisiana Code Section 17:3703

Affirming the rights of intercollegiate athletes to earn compensation from their name, image, or likeness, though not directly from education institutions. The law further prohibits postsecondary education institution unduly restricting an intercollegiate athlete from earning compensation for the use of the athlete's name, image, or likeness, though such institutions may not themselves provide NIL compensation.

Maine Code Title 20-A, § 12972

Colleges and Universities are prohibited from adopting or enforcing policies, requirements, standards or limitations that: 1) prohibit or prevent student athletes who participate in an intercollegiate athletic program from earning compensation for the use of their name, image or likeness when the student athlete is not engaged in official team activities; or 2) prohibit student athletes from obtaining professional representation, including attorneys, for contracts or other legal matters relating to the use of their name, image or likeness.

Maryland Code of Education Section 15-131

Prohibiting public educational institutions, athletic associations, and conferences from interfering with students' right to earn compensation from their name, image, and likeness, including, in the case of educational institutions, by upholding "any rule, requirement, standard, or other limitation that prevents a student athlete from earning compensation from the use of the student athlete's name, image, or likeness," and;

Further preventing any effects on students' scholarships as a result of earning compensation from name, image, or likeness.

Though associations, conferences, and educational institutions may not provide prospective student athletes with NIL compensation.

Michigan Code Sections 390.1731, 390.1732, 390.1738

Prohibiting post-secondary educational institutions, athletic associations, and conferences from interfering with a student's ability to earn compensation from their name, image or likeness, including by limiting the institution's ability to participate in intercollegiate athletics, except that institutions may not compensate prospective students.

Affirming that a legal settlement shall not permit noncompliance with this act.

Mississippi Code Section 37-97-105

Protecting the right of post-secondary institutions, their officer, trustees, and employees to "identify, create, solicit, facilitate, negotiate, support, assist and otherwise enable opportunities for a student-athlete to earn or attempt to earn compensation for the use of the student-athlete's publicity rights." Such rights can be exercised directly or through third parties, and "include, without limitation, the right to discuss with a student-athlete the potential to earn compensation for their publicity rights if they attend the postsecondary educational institution."

Missouri Code Section 173.280

Prohibiting any postsecondary educational institution from upholding "any rule, requirement, standard, or other limitation of an athletic association or athletic conference that prevents a student of that institution from fully participating in intercollegiate athletics without penalty and earning compensation as a result of the use of the student's name, image, likeness rights, or athletic reputation" and further, affirming that no student athlete's scholarship or grant-in-aid shall be affected by their earning of name, image, or likeness compensation.

NIL compensation may be in exchange for attendance at educational institutions but not in exchange for athletic performance.

Montana Code Section 20-1-232

Protecting "student-athlete rights" to earn compensation from their name, image, or likeness and preventing universities and athletic associations from limiting the exercise of such rights, except that educational institutions may not pay their own students for NIL rights.

New Jersey Code Section 18A:3B-867

Prohibits four-year institutions of higher education from upholding any rule, requirement, standard, or other limitation that prevents a student of that institution participating in intercollegiate athletics from earning compensation as a result of the use of the student's name, image, or likeness.

New York Education Law Section § 6438-c

Prohibiting a college from upholding “any rule, requirement, standard, or other limitation that prevents a student-athlete from earning compensation” for the use of their name, image, or likeness;

Prohibiting athletic associations and conferences from preventing student-athletes from earning compensation for their name, image, or likeness, except that prospective students may not receive NIL compensation.

Prohibiting athletic associations and conferences from barring colleges from participation in intercollegiate athletics as a result of allowing a student-athlete to earn such compensation; and preventing associations and conferences from preventing colleges from identifying, facilitating, enabling, or supporting opportunities for a student-athlete to earn compensation for the student-athlete's name, image, or likeness.

Oklahoma Code Title 70 Sections 820.23, 820.25, 820.27.

§ 820.23. Compensation

Protecting the right of student athletes to earn compensation for the use of the name, image, or likeness of the student athlete without penalty or resulting limitation on participation;

Prohibiting athletic associations from preventing post-secondary institutions or their parties acting on their behalf from identifying, facilitating, enabling, or supporting opportunities for a student athlete to earn compensation for the student athlete's name, image, or likeness activities.

Oregon Code Section 702.200

Protecting “student’s rights” to earn compensation from their name, image, or likeness and preventing universities and athletic associations from limiting the exercise of such rights, but preventing educational universities themselves from compensating their students for NIL rights.

Pennsylvania Code Title 24 Sections 20–2003–M and 20-2008-M

Affirming the right of student-athletes to earn compensation for the use of their name, image or likeness and prohibiting institutions of higher education from upholding a rule, requirement, standard or other limitation that would interfere with such a right and;

Further prohibiting athletic associations and conferences from interfering with this right of student athletes or from preventing an institution of higher education from fully participating in

intercollegiate athletics as a result of their students' earning of compensation for their name, image, and likeness;

Affirming that no legal settlement will permit noncompliance with this law.

South Carolina Code Sections 59-158-20 and 59-158-40

Protecting the right of post-secondary institutions, their officers, trustees, and employees to "identify, create, solicit, facilitate, negotiate, support, assist and otherwise enable opportunities for a student-athlete to earn or attempt to earn compensation for the use of the student-athlete's publicity rights." Such rights can be exercised directly or through third parties, though institutions of higher learning may not themselves receive compensation or fees from NIL facilitation nor may they use appropriated funds to pay athletes for their NIL;

Prohibiting an athletic association or conference from enforcing "a contract term, a rule, a regulation, a standard, a bylaw, guidance, or any other requirement that prohibits" institutions of higher education from participating in intercollegiate sports or otherwise penalizing them or their athletic programs as a result of their student-athletes' NIL activities;

Prohibiting athletic associations and conferences from preventing higher education institutions establishing agreements with third-parties to act on the institution's behalf to identify, facilitate, enable, or support an intercollegiate athlete's name, image, or likeness activities.

Tennessee Code Section 49-7-2802

Codifying the rights of intercollegiate athletes to earn compensation from their name, image, or likeness, except directly from their universities and;

Prohibiting universities and athletic associations from unduly restricting the exercise of such rights including by any a rule, regulation, standard, or other requirement.

Texas Education Code Section 51.9246

Prohibiting institutions from adopting or enforcing "a policy, requirement, standard, or limitation that prohibits or otherwise prevents a student athlete" from earning market value compensation for the use of their name, image or likeness, including by interfering with the student's scholarship eligibility;

Prohibiting associations and athletic conferences from enforcing contract terms, rules, regulations, or standards to prohibit the an educational institution from participating in intercollegiate athletics or otherwise penalizes such an institution or its intercollegiate athletic program for enabling student-athletes to earn name, image, or likeness compensation.

Prohibiting the solicitation of and providing NIL compensation to prospective students.

Virginia Code Section 23.1-408.1

Prohibiting educational institutions or agents thereof and athletic associations or conferences from preventing student-athletes from earning compensation from their name, image, or likeness and further protecting student-athletes ability to earn such compensation, including through supporting foundations of educational institutions, or entities acting on behalf of such institutions who engage in identifying, creating, negotiating, facilitating, supporting, engaging with, assisting with, or otherwise enabling name, image, or likeness opportunities for student-athletes.